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THE FEDERAL AID TO WILDLIFE RESTORATION ACT ^{1/}By Albert M. Day, Senior Biologist
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The Pittman-Robertson Act (Public, No. 415, 75th Congress), providing Federal aid to the States for wildlife-restoration purposes, which was enacted by the last session of Congress, is the most forward-looking conservation measure since the Migratory Bird Treaty Act was approved in 1918.

Fundamental Provisions

The new law approaches the problem with the view of improving the fundamental needs of our depleted ranks of wild birds and mammals--not by placing more restrictions on hunters, employing more game wardens, or encouraging the pen-raising of birds to be liberated for sport, but by providing for the restoration of natural habitat. The language throughout the entire act speaks in terms of restoration of natural environment. It is meant to provide a means for the States to acquire and improve lands so that wildlife may reproduce normally and supply a surplus that can be harvested by hunters.

Upon the participating States the act makes it mandatory to revise the game laws where necessary, so that no funds may be diverted from the fees collected from the hunters for any other purpose than the administra-

^{1/} Address delivered at the Third Annual North American Wildlife Conference, Baltimore, Maryland, February 14, 1938.

tion of the fish and game department. This will bring about another fundamental improvement in our game-law administration structure, since in the past some States have used the sportsmen's money for all sorts of unrelated types of work, even to the purchase of books for public schools.

The act emphasizes the need for additional research into problems of wildlife management, and such investigations are clearly authorized. This, of course, is one of the crying needs of the entire wildlife-restoration problem.

Appropriations Authorized

Under the act, Congress is authorized to appropriate annually an amount not to exceed the revenue from the 10 percent excise tax on arms and ammunition. During the fiscal year 1937 this tax amounted to about \$3,250,000. The President, in his budget submitted to Congress for the fiscal year beginning next July 1, included an item of \$1,000,000 to get the program started. After deductions for administering the act, the funds are apportioned to the States, half in the ratio of the land area of each State to the United States as a whole, and half in the ratio of the number of the State's paid hunting-license holders to the total number of hunters in all States. The States must contribute \$1 for each \$3 of Federal funds. Provision is made that no State may receive more than \$150,000 a year of Federal money, and that a State for which the apportionment is less than \$15,000 may receive that amount by allotting \$5,000 to match the Federal funds.

When the funds are apportioned, and the States advise the Secretary of Agriculture that they wish to participate, the money for that State is set aside and obligations are incurred on the basis of definite projects. Should any State not desire to participate, or if there is a balance of funds at the end of a two-year period, provision is made that such unused moneys shall become available for use in administering the Migratory Bird Conservation Act for the acquisition of lands for the general waterfowl-restoration program.

Functions of the Biological Survey

The law provides that each individual project must be approved by the Secretary of Agriculture. To this end the Biological Survey has been holding regional meetings throughout the United States with the representatives of the various State fish and game departments to discuss plans and proposed rules and regulations.

The game departments will be chiefly responsible for the types of projects submitted. The Biological Survey will act merely as an agency to assist the States in setting up the projects, to see that they are properly executed, and to keep the proposals in line with Federal laws and regulations. Since the bulk of the money going into the program will be drawn from the Federal treasury, great care must be taken to see that expenditures are made in accordance with Federal laws. It is planned that a representative will be assigned to each of the Bureau's nine regional offices

to work with the State game departments in selecting projects, drawing up plans and specifications, and following the acquisition and development work through to completion.

Permissible Restoration Projects

The chief interest at the present time seems to be in the type of projects that will be permissible under the terms of the act. For the initiation of the work, it will be well for all parties concerned to plan for projects that are clearly intended under the language and terms of the act and to stay as far away from doubtful and borderline proposals as possible. It will take some time to perfect machinery to approve the projects, clear vouchers for payment, and make certain that the work is being carried on in accordance with Federal procedure. For this reason, it would be most unwise to begin with a variety of doubtful types of projects. Rather, only those should be chosen that are clearly within the purposes of the act and that will be least subject to question.

While there is now no way of determining definitely the extent of the projects that may ultimately come within the program, several types are so clearly indicated that there can be no question about them. These are:

1. The purchase of land for wildlife-rehabilitation purposes.
2. The development of land to make it more suitable for wild mammals and birds. This may be the development either of newly acquired lands or of areas already in public ownership. Development could fairly be interpreted to include anything that would make better wildlife management possible, but each project should center particularly around environmental improvement by food and cover planting, water stabilization, or any other activity necessary to make the land better suited to wildlife occupancy.
3. Research projects set up on a definite basis and directed to the solution of problems that stand in the way of wildlife restoration. These should include the determining of unknown factors in management, in feeding habits, or in interrelationships with other species, with livestock, or with any other of the innumerable things that enter into a wildlife management program. Obviously, to prevent overlapping and duplication, the research work undertaken must be correlated with the existing research programs of the Federal Government and the States.

Many other types of projects might come under these programs, but for the first year it will be to the advantage of all concerned to limit projects to those that cannot be questioned from any standpoint. Every State certainly has a number of projects that can be cleared without question, so that there should be little difficulty in finding worthwhile work under such projects, at least for the first year or so.

State Maintenance or Acquisition

Land purchased under the terms of the act become the property of the States and must be maintained by them. No maintenance of any project may be charged against these funds but must be paid from other resources

of the State. Under the terms of the act, the money cannot be used for routine expenses of game commissions. In other words, it cannot be used for payrolls, for operation of game farms, or for the purchase of game birds or animals to be released for shooting purposes. It probably can be used for the purchase of game for restocking specific projects if, at the same time, provision is made for caring for this stock until it has been built up. It cannot be used for fish-restoration work or for the development or improvement of streams. Any benefits to fish life must be incidental to water development for definite wildlife purposes. The money can be used for revegetating areas for the benefit of wildlife, but probably could not be used for straight forestry replanting. It certainly can be used for planting food and cover plants for wildlife.

Lands to be acquired need not be inviolate sanctuaries but may be handled by the States in accordance with approved game-management practices. Obviously, the ultimate purpose of the act is to insure that the areas shall produce additional game, the surplus of which may be harvested as a crop.

Permanent Future Benefits

Every effort should be made to put this money into permanent improvements that will benefit wildlife and not dissipate it by scattering the funds too widely. One good area developed to its fullest extent will go on producing for years to come with comparatively low maintenance cost, while new money coming in from year to year can be used to duplicate this unit and establish an ever-increasing chain that will go far toward restoring beneficial conditions for wildlife throughout the entire country.

The Federal Aid to Wildlife Restoration Act marks one of the greatest forward steps in the history of American wildlife conservation. By intelligent and close cooperation between the Biological Survey and the State game officials, it can be made the beginning of a true national wildlife program, which, if carried out to the fullest extent possible under the law, can mark as great a revolution in wildlife management and wildlife development as the Federal Aid Highway Act has made in the highway system of this country.